

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:12-CR-00293-RJC

USA

v.

LARRY D. ALEXANDER (1)

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ORDER

**THIS MATTER** is before the Court upon motion of the defendant, (Doc. No. 95), for a certificate of appealability of the Order, (Doc. No. 94), dismissing his motion for a sentence reduction, (Doc. No. 93).

The defendant is not entitled to the requested relief because the Order was decided pursuant to § 404 of the First Step Act of 2018. Because the defendant's reliance on Rule 11(a) of the Rules of Governing § 2255 Proceedings is misplaced, the Court will construe the motion as a notice of appeal.

**IT IS, THEREFORE, ORDERED** that the defendant's motion, (Doc. No. 95), shall be construed as a notice of appeal of the Court's Order, (Doc. No. 94).

The Clerk is directed to certify copies of this Order to the defendant and the United States Attorney.

Signed: June 27, 2023



Robert J. Conrad, Jr.  
United States District Judge

